

paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 2 and 7 have been amended to more particularly point out the subject matter of the invention.

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,293,813 to Schultz. Claim 7 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz. Reconsideration of these rejections is respectfully requested.

Claim 1 recites a cooking vessel assembly comprising a pan and a removable lid assembly. The lid assembly includes a thermometer having a probe extending downward through an aperture in the lid. The bottom end of the probe is above the rim of the lid. This enables temperature to be measured within the cooking vessel, above food items contained in the pan, as set forth in method claim 7.

Claims 1 and 7 have been amended to more particularly point out that the probe includes a temperature sensing device disposed beneath the aperture through which the probe extends, in the interior of the cooking vessel. Schultz does not disclose or otherwise suggest a probe containing a temperature sensing device disposed beneath the aperture through which the probe extends, in the interior of the cooking vessel, as recited in claims 1 and 7. Schultz discloses a thermometer 41 disposed outside the pot, with a sleeve-like extension 44 projecting into the pot. (Col. 11, lines 23-27). The extension 44 does not contain a temperature sensor. To the contrary, the extension 44 only acts as a conduit for hot air to flow from the interior of the pot to the thermometer outside the pot. Schultz states, at Col. 11, lines 35-38:

"Since the extension 44 is designed like a sleeve, the inside of the extension 44 is flow connected to the pot interior 15, thus resulting in optimal heat transfer. Good heat transfer is also guaranteed by the fact that the air that rises when the cooking pot is heated can flow to the outside through the annular gap 53 past the extension 44 . . ." (Emphasis added).

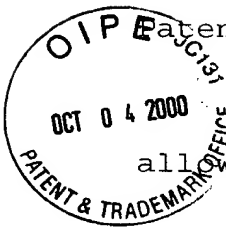
Schultz similarly states, with respect to the embodiment of Fig. 7, that "the temperature is measured reliably because the extension 44 projects into the pot interior 15 and upon heating the rising air flows past the extension 44 . . ." (Col. 12, lines 1-4).

Thus, Schultz requires flow of hot air from the interior to the exterior of the pot in order to measure temperature with the thermometer outside the pot.

The invention of claims 1 and 7 enables temperature to be measured directly by a temperature sensor contained in the cooking vessel, rather than requiring a sleeve-like extension to permit flow of hot air to an exterior thermometer, as in Schultz. The invention of claims 1 and 7 would allow the thermometer to respond more quickly to temperature changes in the interior of the cooking pan, in addition to avoiding the need for venting of hot air through an opening to reach the thermometer.

For the reasons set forth above, claims 1 and 7 as amended are believed to be allowable.

Claim 8, and claims 9-14 dependent thereon, have been added to the application to more particularly point out and distinctly claim the invention, and are also believed to be allowable. Claims 8 recites, among other elements, the dual function notch mentioned in the office action's statement of reasons for the indication of allowable subject matter.



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For the reasons set forth above, reconsideration and allowance of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

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